

Message Text

CONFIDENTIAL

PAGE 01 JAKART 11313 230936Z

ACTION IO-14

INFO OCT-01 EA-10 ISO-00 AF-10 ARA-10 EUR-12 NEA-10

CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00 USIE-00

INRE-00 PM-05 H-01 INR-07 L-03 PA-01 PRS-01

SP-02 SS-15 EB-08 OMB-01 TRSE-00 DHA-02 LAB-04

SIL-01 DIWY-01 COME-00 /119 W

-----014183 230945Z /17

O 230849Z AUG 77

FM AMEMBASSY JAKARTA

TO AMEMBASSY LAGOS IMMEDIATE

INFO USMISSION USUN NEW YORK IMMEDIATE

SECSTATE WASHDC IMMEDIATE 3353

USMISSION GENEVA

AMEMBASSY ISLAMBAD

AMEMBASSY SINGAPORE

C O N F I D E N T I A L JAKARTA 11313

FM AMBASSADOR WELLS

LAGOS FOR AMBASSADOR YOUNG

USUN FOR AMBASSADOR LEONARD

DEPT FOR ASST SECY MAYNES (IO) AND DEPUTY LEGAL ADVISER
SCHWEBEL

E.O. 11652: GDS

TAGS: SHUM, PORG, ID

SUBJECT: HUMAN RIGHTS AND ILO: WELLS/PETREE PRE-UNGA CONSULTATIONS

REF: ISLAMABAD 8431

1. DURING THIS TRIP SO FAR, WE HAVE REPEATEDLY BEEN GIVEN
PESSIMISTIC ASSESSMENTS REGARDING THE CHANCES OF SUCCESS
FOR AN INITIATIVE ESTABLISHING A HIGH COMMISSIONER FOR
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HUMAN RIGHTS. I ASSUME THIS INITIATIVE IS BEING EXPLORED
IN THE COURSE OF OUR PRE-UNGA CONSULTATIONS WITH OTHER
GOVERNMENTS, SO I AM UNABLE TO JUDGE HOW THE REACTIONS WE
HAVE RECEIVED COMPARE WITH THOSE OF OTHER DEVELOPING
COUNTRIES. NEVERTHELESS, I WOULD LIKE TO DRAW YOUR
ATTENTION TO A SUGGESTION MADE DURING OUR CONSULTATIONS IN
ISLAMABAD (PARA 4 REFTTEL).

2. THE SUGGESTION MADE WAS THAT WE NOT INTRODUCE AN UNFAMILIAR AND TOTALLY NEW CONCEPT INTO THE HUMAN RIGHTS AREA SUCH AS THE HIGH COMMISSIONER. (WHILE A HIGH COMMISSIONER FOR REFUGEES AND A HIGH COMMISSIONER FOR HUMAN RIGHTS MAY HAVE IDENTICAL TITLES, RECEPTIVITY TO THEIR FUNCTIONS IS NOT COMPARABLE.) THE PAK ALTERNATIVE SUGGESTION WAS THAT WE BUILD ON A PROCEDURE ALREADY HAVING A PRECEDENT WITHIN THE UN, SPECIFICALLY, THE ESTABLISHED COMPLIANCE AND INVESTIGATIVE PROCEDURE ALREADY OPERATING UNDER ILO. THE PAKISTAN SIDE POINTED OUT THAT BY USING PROCEDURE ALREADY FUNCTIONING WITHIN THE UN SYSTEM, ARGUMENTS AGAINST WHAT THE US IS TRYING TO ACHIEVE IN THE EXTREMELY SENSITIVE FIELD OF HUMAN RIGHTS WOULD BE WEAKENED BY THE PRECEDENT FOR THE PROCEDURAL MECHANISM PROPOSED.

3. ALTHOUGH I AM OUT OF TOUCH WITH THE CURRENT STATE OF PLAY ON THE ILO ISSUE, I WOULD LIKE TO SUGGEST THAT WE EXAMINE THIS ALTERNATIVE FROM THREE VIEWPOINTS:

A) AS A CONCRETE STEP TO IMPROVE HUMAN RIGHTS MACHINERY IN THE CONTEXT OF THE PRESIDENT'S MARCH 17 SPEECH. THE OPERATION OF THE ILO MACHINERY HAS A MIXED RECORD OF SUCCESS, IS INTRICATELY INVOLVED IN OUR NOTICE TO WITHDRAW FROM THE ILO, BUT IS STILL THE ONLY EFFORT AT AN INTERNATIONAL DUE PROCESS SYSTEM WITHIN THE UN;
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B) AS A CONSIDERATION FOR NOT WITHDRAWING FROM THE ILO. IF WE WERE TO GRAFT THE ILO PROCEDURAL MECHANISM TO THE BROADER HUMAN RIGHTS FIELD, WE WOULD NEED TO STAY IN THE ILO AND WORK TOWARDS THE CONTINUANCE AND IMPROVEMENT OF MECHANISM IN THAT ORGANIZATION IF IT IS TO BE EFFECTIVE IN A NEW ARENA;

C) AS A CHANNEL FOR THE DEVELOPING COUNTRIES TO HELP US OVERCOME THE DIFFICULT TACTICAL IMPASSE WE FACE IN TERMS OF JUSTIFICATION FOR NOT WITHDRAWING FROM THE ILO. I ATTACH PARTICULAR SIGNIFICANCE TO THE FACT THAT THIS ALTERNATIVE WAS SUGGESTED DURING CONSULTATIONS AT AN OFFICIAL MEETING WITH A COUNTRY THAT IS THE SPOKESMAN FOR THE G-77 IN NEW YORK.
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Message Attributes

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Sent Date: 23-Aug-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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